

**\*E-FILED 03-01-2010\***

NOT FOR CITATION  
IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

LAILA BATTS,

No. C08-00286 JW (HRL)

Plaintiff,

**ORDER OVERRULING DEFENDANTS'  
OBJECTION TO PLAINTIFF'S  
BELATED DISCOVERY MOTIONS**

v.

**[Re: Docket No. 190]**

COUNTY OF SANTA CLARA, PETER  
CRANDALL, CHRISTINA ARQUERO, and  
DOES 3-20,

Defendants.

On February 10, 2010, plaintiff filed two motions to compel discovery (Docket Nos. 184, 185) and noticed them for a March 23, 2010 hearing before this court. In view of the February 1, 2010 discovery cutoff (see Docket No. 136), defendants correctly note that plaintiff's discovery motions were filed two days too late. See Civ. L.R. 26-2. Plaintiff has not responded to defendants' objection, and this court finds no good cause for the delay. Nevertheless, in view of the relatively short delay, and weighing legitimate interests against possible prejudice, this court will exercise its discretion to accept plaintiff's untimely motions. Briefing shall proceed in accordance with a normal 35-day calendar under the court's Civil Local Rules.

SO ORDERED.

Dated: March 1, 2010

  
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HOWARD R. LLOYD  
UNITED STATES MAGISTRATE JUDGE

1 5:08-cv-00286-JW Notice has been electronically mailed to:

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